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| 7590 C. Douglass Thomas 1193 Capri Drive Campbell, CA 95008 | | | | |
| EXAMINER | | | | |
| LIE, ANGELA M | | | | |
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/039,341

Applicant(s)

THOMAS, C. DOUGLASS

Examiner

ANGELA M. LIE

Art Unit

2163

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 July 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 and 31-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 and 31-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 December 2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Status

1. Claims 1-27 and 31-37 are pending.
2. Claims 28-30 are canceled.
3. Claims 1-27 and 31-37 are rejected under 35 U.S.C. 103(a).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **Claims 1-8, 10-21, 23-25, 31, 32, 34 and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gardos et al (US Patent No. 7251826), hereafter referred to as Gardos, in view of Meunier et al (US Patent No. 6681369), hereafter referred to as Meunier.**

As to claims 1, 13, 20 and 32, Gardos teaches a method for monitoring, the domain space including at least one domain variation of the name to be monitored, the method comprising: (a) receiving a request to monitor a name (Figure 2); (b) determining a domain space about the name to be monitored, the domain space including at least one domain variation of the name to be monitored (Figures 5 and 6, wherein all the alias can be determined (i.e. host names)); (c) searching a database of domain name registrations to identify one or more registrations of domain names that match the at least

one variation of the name being monitored (Figures 5, 6, 7, 9 and 10, wherein all the information identified for each of the domain and their alias is part of registration information such as IP number, associated mail servers etc); and (d) notifying the requestor of the identified one or more registrations (Figures 5-10, wherein all the information is displayed to a user, in other words the user is notified). Gardos however does not explicitly teach that subsequent to the receiving (a) of the request to monitor the name, the searching (c) and the notifying (d) are periodically automatically performed. On the other hand, Meunier teaches monitoring agent which automatically tracks changes in documents (information) (column 5, lines 29-48), by periodically accessing the document or information and then notifying a user about the changes (column 5, lines 49-56).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine teaching of Gardos about monitoring domain registration information with Meunier's teaching about performing requested action periodically in order to provide the most current information to a user, without one's intervention. In result this would save a lot user's time.

With respect to claim 11, Gardos also teaches sending warning messages to registrants of the identified one or more registrations (Figure 4, wherein a warning message is sent to inquire a registrants/customer in order to identify whether or not a requestor is authorized to modify domain name zone file).

With respect to claims 5, 6, 17, 18, 20 and 32, Gardos further teaches the name to be monitored being a character string (Figure 5, wherein "victoriakarol.com" is clearly a character string), and wherein the identified one or more registrations of domain

names that are similar to the that of the name are those that include the character string as well as at least one additional character not in the character string (Figure 5, wherein remaining host names (i.e. variations) all have "victoriakarol.com" in them plus additional characters).

As to claims 2 and 14. Meunier further teaches a method wherein the notifying (d) is performed by electronic mail (column 5, lines 49-56).

As to claims 3 and 16. Gardos teaches a method wherein the name pertains to a domain name (Figure 6, wherein "victoriakarol.com" is a domain name).

As to claims 4 and 15. Gardos teaches a method wherein the searching (b) searched plurality of databases of domain name registrations (column 8, lines 1-9).

As to claims 7 and 19. Gardos teaches a method wherein the searching (c) searches recent registrations (Figure 5, wherein listed domain include all relevant registrations, including both recent and non-recent).

As to claims 8 and 21. Gardos teaches the method wherein the notifying (d) comprises: (d1) producing a notification message pertaining to the identified one or more registrations (figure 5, wherein all the information listed is considered a notification); and (d2) forwarding the notification message to the requestor (Figure 5, wherein those information is displayed in this form to a user).

As to claims 10, 23 and 31. Gardos teaches the method wherein the receiving (a) comprises receiving monitoring request data from a requestor, the monitoring request data being provided through interaction with a web site accessible via the Internet (column 5, lines 3-8).

As to claims 12, 24, 25, 34 and 37, Meunier further teaches a method wherein the sending (d) of the warning messages is done automatically for the requestor or on specific request by the requestor (column 5, lines 49-56, wherein a notification is sent once a requestor attempts to modify domain specific information).

6. **Claims 9, 22, 26, 27, 33, 35 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gardos et al (US Patent No. 7251826), hereafter referred to as Gardos, in view of Meunier et al (US Patent No. 6681369), hereafter referred to as Meunier, and further in view of Hollenbeck et al (US Publication No. 2005/0102354), hereafter referred to as Hollenbeck.**

As to claims 9 and 22, Gardos and Meunier teach all the limitation disclosed in claims 1 and 21 respectively. Gardos also teaches notification message including at least registrant, however neither Gardos, nor Meunier expressly teach that the message also includes date of registration and contact information for each identified registrations. On the other hand, Hollenbeck teaches shared registration system for registering domain names, wherein information about the registrar includes contact information and date of creation (Figure 9, element 902). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine modified Gardos's domain look-up system with Hollenbeck's teaching about providing contact and account creation information, in order to supply more detailed information which would allow a requestor to easily contact a person in charge of a specific domain and also get familiar with history of the account, which might be useful in identifying whether or not there is anything faulty with the account.

As to claims 26 and 35, Gardos and Meunier teach all the limitations disclosed in claims 1 and 13 respectively, however they do not expressly teach monitoring activation of a website at the domain names of the identified one or more registrations. On the other hand, Hollenbeck teaches a system wherein customer service can view status (i.e. monitor) of a website/domain registration at any time (i.e. from activation to as long the domain name is active) (paragraphs [0057], [0073] and [0078]). It would have been obvious to one of ordinary skill in the art at the time the invention was made to monitor activation of a website/domain name, as taught by Hollenbeck in modified Gardos's domain look-up system, in order to allow customer service to track and identify potential error associated with an activation and to also to properly maintain billing information.

As to claims 27, 33 and 36, Hollenbeck further teaches informing a requestor of the activation of a website at the domain names of the identified one or more registrations (paragraphs [0057], [0073] and [0078], wherein status information is sent to a requestor (for instance customer service representative), further wherein domain name corresponds to a website, thus creation of a domain name is considered equivalent to activating a website).

Response to Arguments

7. Applicant's arguments with respect to claims 1-27 and 31-37 have been considered but are moot in view of the new ground(s) of rejection.

Inquiry

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to ANGELA M. LIE whose telephone number is (571)272-8445. The examiner can normally be reached on M-F.
9. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong can be reached on 571-272-1834. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.
10. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Angela M Lie/
Examiner, Art Unit 2163

/don wong/
Supervisory Patent Examiner, Art Unit 2163